



**METROPOLITAN
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Deputy Executive Director, Policy

**Legislation Committee
July 10, 2009
Minutes**

Chair Rubin called the meeting to order at 10:55 a.m. Committee members in attendance: Azumbrado, Chu, Giacopini, Haggerty, Halsted, Lempert, Mackenzie, Spering, Tissier, and Worth. Also in attendance: Commissioners Bates and Daly.

Minutes of the Committee's June 12, 2009 meeting were unanimously approved after a motion by Commissioner Worth, and a second by Commissioner Chu.

Legislative History

Rebecca Long of MTC staff reported that SB 406 (DeSaulnier), the bill that would authorize a vehicle registration fee for SB 375 implementation, is moving along in the Legislature. The bill was amended to include an additional \$1 vehicle registration fee for the Bay Area Air Quality Management District's work. She noted that MTC's two bills, AB 744 (Torrico), the express lane network bill, and AB 1175 (Torlakson), the Antioch and Dumbarton Bridge seismic retrofit bill, will be heard again by the Senate Transportation Committee on July 14.

Commissioner Mackenzie asked for a summary of the comments received regarding AB 744. Executive Director Steve Heminger noted that legislators are raising a lot of concerns about both bills, and that the little opposition that exists in the Bay Area regarding AB 744 is not helping. However, he said he is optimistic that both bills will get out of committee. Commissioner Mackenzie asked what individual Commissioners can do to move the bills along. Mr. Heminger said that AB 744 passed the House with bipartisan support, and will likely do the same in the Senate. Regarding AB 1175, he said the bill only has Democrats' support and noted that Senator Simitian (D – Palo Alto) voted against the bill. He encouraged Commissioners to contact members of the Senate Committee and ask them to support the bill. Mr. Heminger said opposition in Contra Costa persists even though their concerns have been addressed. Commissioner Bates asked what the Commission's responsibility is regarding the bridges and whether BATA/MTC can turn responsibility back to the state. Mr. Heminger said MTC administers the revenue, but the bridges are owned by the state, and our responsibility is too great to just hand it back to the state. Commissioner Lempert asked if a letter signed by all commissioners would be helpful. Mr. Heminger said that direct contact is important, and noted that the bill is not asking for state funds, but rather for the ability for the Commission to put regional measures on the ballot in order to raise the funds necessary to seismically retrofit the bridges. This is raising concern with members of the Senate Transportation Committee.

State Budget Update

The committee received Ms. Long's report. She noted that a budget has not yet been approved, and to expect the diversion of the local gas tax subvention funds.

State Legislation

SB 535 (Yee) — HOV Lanes

Ms. Long asked the Committee to remove MTC's current opposition to this bill because it has been amended to require owners of advanced technology partial zero-emission vehicles (AT PZEV) registered in the Bay Area that have a combined fuel economy of at least 65 miles per gallon to obtain a FasTrak[®] electronic toll collection account as a condition of obtaining their decals from the Department of Motor Vehicles to use the carpool lanes without the required number of occupants. She also asked the Committee to invoke the Commission's urgency procedure.

In response to Commissioner Chu's and Commissioner Bates' questions, Ms. Long noted that only vehicles that meet the emission standards and get more than 65 miles per gallon would be allowed into the carpool lanes, and hybrid vehicles that currently have permits to use the lanes will no longer be allowed into the carpool lanes after December 31, 2010. Commissioner Azumbrado asked if it was anticipated that more than 65,000 vehicles would meet the standards, and if the bill would incentivize consumers to buy such vehicles. Ms. Long responded that given the lower number of permits, how operations should not be severely impacted. Urgency procedures to remove opposition to SB 535 were unanimously approved after a motion by Commissioner Mackenzie and a second by Commissioner Chu.

TIGER Discretionary Grants Update

Alix Bockelman of MTC staff reported on the status of the TIGER application process. She noted that staff's final recommendations will be included for action in the July 22nd Commission meeting packet. Staff will then submit the list of projects to the state. The federal deadline for project submittal is mid-September. Chair Rubin asked what the region could realistically expect to receive. Randy Rentschler of MTC staff said that the \$125 million proposed in the MTC principles adopted in June is realistic; however, there will be a lot of competition with Southern California.

The Federal Surface Transportation Authorization Act of 2009

The committee received Mr. Rentschler's initial update on the upcoming federal transportation authorization bill. Mr. Rentschler noted Congressman Oberstar's bill brings a lot of change with a lot of stability consistent with MTC's current policies and priorities. Chair Rubin asked what the timeframe is for consideration of a transportation bill. Mr. Rentschler said that a timeframe is currently unknown.

Tom Bulger's Report

The report from MTC's advocate in Washington, D.C. was received by the committee.

Other Business/Public Comment/Adjourn

There was no other business or public comment. The next Committee meeting was scheduled for September 11, 2009. The meeting was adjourned at 11:31 a.m.